

The following amendments are respectfully request to be entered:

**IN THE CLAIMS:**

*EI* 6. (Twice Amended) The device of claim 1, wherein said primary disk is a drive disk, and said roller is a free-spinning roller.

**REMARKS**

**§112**

Claims 1-16 were rejected under claims 35 USC 112, second paragraph on the grounds that “folding said material by gravity” (claim 1, line 4) is vague, indefinite.

What Applicants have claimed is merely what is depicted in the drawings, namely that the folding of the material in Applicant’s invention occurs when the material drapes over the disk and such draping occurs by gravity . Note that this is in stark contrast to DE 199 05 520 (Stivani) wherein folding is accomplished by taut drawing of a material between a roller and disk. There is no such draping by gravity in Stivani as claimed by Applicant.

**CLAIM OBJECTIONS**

Claim 6 was objected to and Applicant has amended claim 6 as suggest by the Examiner.

**§102**

Claims 1-4 and 10-13 were rejected under 35 USC 102(a) as anticipated by DE 199 05 520 (Stivani).

This rejection is respectfully traversed.

*gravity affecting  
the web*

As is well known §102(a) requires that each and every claimed element be disclosed in a single prior art reference. In this instance, Stivani does not disclose folding "by gravity". In fact, the folding is accomplished by a wrapping material being tautly pulled between disc 10 and roller 11. Note an advantage of the present invention is "tensionless" folding (see page 5, lines 17-23 of the specification). This tensionless folding is accomplished by the material being folded by "draping" over the disk. The "draping" occurs due to gravity (i.e., sides of the folded material dropping on either side of the disk).

§103

The Examiner's rejection of claims 5-9 and 14-16 under §103 in view of Stivani are respectfully traversed.

The Examiners contends that it would be an obvious matter of choice to modify Stivani's device by having the primary roller a driver roller and the primary disk a free spinning disk and/or the primary disk as a drive disk and the roller as a free spinning roller and/or the free roller as a drive roller, since "the examiner takes an official notice that the mentioned driving means in either the disk or the roller is old, well known, and available in the art".

However the Examiner's reasoning is not well founded, as explained above, the folding in Stivani is accomplished by tautly drawing the material between a disk and roller. If the disk or roller were the drive mechanisms, the tautness of the web would not be maintained; furthermore if the tautness of the web was not maintained, the web would flop over onto the roller not accomplishing a fold. Thus, Stivani cannot be said to render Applicant's invention obvious and such rejection is respectfully requested to be withdrawn.

Based on the foregoing, applicants believe the application is now in condition for allowance. Favorable reconsideration and early notice of allowance are earnestly solicited. If any questions arise which can be disposed through interview, the Examiner is encouraged to contact Applicants' attorney at the telephone number listed below.

Please charge any fees which may be required for this submission to Johnson & Johnson Deposit Account No. 10-0750/JJM-550/TJS.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the claims:

Claim 6 has been amended as follows:

6. (Twice Amended) The device of claim 1, wherein said primary disk is a drive disk, and said roller is a free-spinning [disk] roller.

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